

REMARKS

The Applicant respectfully solicits favorable reconsideration of the above-referenced patent application in view of the amendments above and the remarks set forth below.

Claims 1-23 are presently pending. Claims 1 and 17 have been amended and claims 18-23 have been newly added by way of the present Amendment.

Claims 1-4, 8-11, 13, 14, and 17 were rejected under 35 U.S.C. § 102(e) as being anticipated by Corriveau et al. (U.S. Patent No. 5,991,633). Claims 5-7, 12, and 15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Corriveau et al. in view of Quick, Jr. (U.S. Patent No. 5,673,259).

In response to the rejection of claims 1-4, 8-11, 13-14, and 17 under 35 U.S.C. § 102(e) as being anticipated by Corriveau et al., the Applicant respectfully requests reconsideration. These claims recite transmitting power control information to respective mobile stations through a forward common channel.

Corriveau et al. relates to a method of dynamically controlling the length of an R-DATA message on a random access channel. In column 4, it is disclosed that "[i]f a selected threshold level has been reached, the R_DATA LENGTH parameter is set to the value associated with that particular threshold level at step 85, messages are transmitted according to the new parameter at step 90 and control is passed to back to step 70. The new R_DATA LENGTH is set by transmitting the new value from the base station 15 to the mobile station 20 over the BCCH 22." (emphasis added) However, unlike the recitations of claims 1-4, 8-11, 13-14, and 17, Corriveau et al. does not disclose transmitting power control information through a forward common

channel. At least for this reason, a *prima facie* case of anticipation has not been established in the rejection of these claims under 35 U.S.C. § 102.

In response to the rejection of claims 5-7, 12, and 15 under 35 U.S.C. § 103(a) as being unpatentable over Corriveau et al. in view of Quick, Jr., the Applicant respectfully requests reconsideration. These claims, comprise the same recitations as discussed above for claims 1-4, 8-11, 13-14, and 17. As discussed above, Corriveau et al. does not disclose transmitting power control information through a forward common channel.

Quick, Jr. relates to a random access communications channel for data services. It is disclosed on column 14, lines 25-41 that "...each Packet Subchannel half-frame 602 contains a busy/idle bit 702 and a half-frame body 704." However, unlike the recitations of claims 5-7, 12, and 15, there is no disclosure of transmitting power control information through a forward common channel. Accordingly, Quick, Jr. does not alleviate the deficiencies of Corriveau et al. At least for this reason, a *prima facie* case of obviousness has not been established.

The Applicant respectfully solicits indication of allowability of claim 16. This claim was not rejected in the Office Action. Further, the Applicant respectfully submits this claim is allowable at least because of its dependency from independent claim 1, which is argued to be allowable above.

The Applicant respectfully solicits favorable consideration of newly added claims 18-20. These claims recite an apparatus comprising a receiver and circuitry. The receiver is configured to receive a first signal. The first signal comprises a paging channel. The circuitry is configured to extract power control information from the received first signal. The Applicant

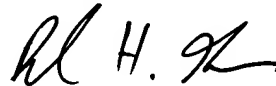
respectfully submits that these recitations are not disclosed, alone or in combination, by the applied prior art references.

CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, **Daniel H. Sherr**, at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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